

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ELIZABETH J. ECHOLS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-08-270-M
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	

ORDER

On May 8, 2009, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation in this action in which plaintiff seeks judicial review of the final decision of defendant Commissioner of Social Security Administration (“Commissioner”), denying plaintiff’s application for disability insurance and supplemental security income benefits. The Magistrate Judge recommended the Commissioner’s decision in this matter be affirmed. The parties were advised of their right to object to the Report and Recommendation by May 28, 2009, and on that date, plaintiff filed her objections.

Plaintiff objects to the Magistrate Judge’s conclusions regarding the Administrative Law Judge’s (“ALJ”) determinations of plaintiff’s mental RFC and credibility. Having carefully reviewed this matter de novo, the Court finds that in relation to the determination of plaintiff’s mental RFC, the ALJ did not err in defining “moderate” as “more than a slight limitation in this area but the individual is still able to function satisfactorily.” Administrative Record at 19. The Court further finds that the ALJ’s mental RFC assessment is not inconsistent with the conclusion that she suffered from a “severe” mental impairment. Additionally, the Court finds that the ALJ did not err in his determination of plaintiff’s credibility. Specifically, the Court finds that in analyzing

plaintiff's credibility, the ALJ applied correct legal standards, considered the relevant factors, and linked his findings to specific substantial evidence in the record.

Accordingly, the Court:

- (1) ADOPTS the thorough and well-reasoned Report and Recommendation issued by the Magistrate Judge on May 8, 2009, and
- (2) AFFIRMS the decision of the Commissioner.

IT IS SO ORDERED this 8th day of June, 2009.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE